

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PANAMA-BUENA VISTA UNION
SCHOOL DISTRICT,

v.

PARENT ON BEHALF OF STUDENT.

OAH Case No. 2014030618

ORDER GRANTING EACH PARTY'S
PEREMPTORY CHALLENGE

On July 31, 2014, District filed a peremptory challenge seeking to disqualify Administrative Law Judge Charles Marson from hearing this case. On the same day, Student filed a peremptory challenge seeking to disqualify Administrative Law Judge Stella Owens-Murrell from hearing this case.

Government Code section 11425.40, subdivision (d), establishes the criteria for disqualification of the presiding officer. A party is entitled to one peremptory challenge (disqualification without cause) to an administrative law judge assigned to a hearing. (Cal. Code Regs., tit. 1, § 1034, subds. (a) & (b); Gov. Code, § 11425.40, subd. (d).) In no event will a peremptory challenge be allowed if it is made after the hearing has commenced. In addition, if at the time of a scheduled prehearing conference, an administrative law judge has been assigned to the hearing, any challenge to the assigned administrative law judge shall be made no later than commencement of that prehearing conference. (Cal. Code Regs., tit. 1, § 1034, subd. (c).)

Each peremptory challenge was timely made and is granted pursuant to Government Code section 11425.40, subdivisions (a) and (d), and California Code of Regulations, title 1, section 1034, subdivision (c). The case is assigned to Administrative Law Judge Adrienne Krikorian.

It is ordered.

DATE: July 31, 2014

/s/

JUDITH A. KOPEC
Division Presiding Administrative Law Judge
Office of Administrative Hearings